

REMARKS

Claims 1-28 were pending in the application. Claims 2, 5 and 12 were cancelled without prejudice or disclaimer. Hence, claims 1, 3-4, 6-11 and 13-28 are pending in the Application.

The Examiner has indicated that claims 12-28 are allowed and that claims 2-4, 6-7 and 10 are objected to as being dependent on a rejected base claim, but would be allowed if rewritten in independent form and overcoming the rejections under 35 U.S.C. §112, second paragraph. As indicated above, Applicant amended claim 1 to include the features of claim 2 (scaling means). Applicant further amended claim 1 by including a reference to the borehole casing (see claim 5) in the preamble of claim 1. Further, Applicant amended claim 11 to include the features of claim 12. As a result, claims 1, 3-4, 6-11 and 13-28 are allowable.

Additionally, the Examiner rejects claims 1-11 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Office Action (6/27/2008), page 2. In particular, the Examiner cites to various phrases in claims 1 and 11 that are unclear to the Examiner which are addressed herein. *Id.*

The Examiner asserts that the phrase "in use to be used" in claim 1 is redundant. Office Action (6/27/2008), page 2. Applicant amended claim 1 to replace the phrase "in use to be used" with the phrase "for use."

Additionally, the Examiner asserts that the phrase "same side" in claim 1 is unclear. Office Action (6/27/2008), page 2. Applicant amended claim 1 to replace the phrase "same side" with the phrase "one side." The one side of the reverse osmosis medium refers to the inlet side of the medium, as distinct from the permeate side.

Furthermore, the Examiner has indicated that the inlet arrangement with respect to the sealing means is "not clearly arranged with respect to the water in the borehole or the water entrance to the borehole." Office Action (6/27/2008), page 2. Applicant amended claim 1 by including the aspect of "for sealing against the

borehole casing" and the aspect of "allowing flow of ground water through the screen into at least the upper portion." This amendment clarifies the arrangement, together with the existing requirement that "the inlet to be located below the upper surface of the groundwater and in the upper position of the borehole with respect to the sealing means."

In addition, the Examiner has asserted that the phrase "delivery time in communication with the fluid outlet line" in claim 11 is unclear. Office Action (6/27/2008), page 2. Applicant amended claim 11 to refer to "permeate outlet." There is clear antecedent support for the phrase "permeate outlet" in the preceding element of claim 11.

As a result of the foregoing, it is asserted by Applicant that claims 1, 3-4, 6-11 and 13-28 in the Application are in condition for allowance, and Applicant respectfully requests an allowance of such claims. Applicant respectfully requests that the Examiner call Applicant's attorney at the below listed number if the Examiner believes that such a discussion would be helpful in resolving any remaining issues.

Respectfully submitted,

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